

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

**WILLIAM ALLEN MEANS,**

**Plaintiff,**

**v.**

**Civil Action No.: 2:20-561**

**E.M. PETERSON, D. HARVEY, and  
THE CITY OF SOUTH CHARLESTON,**

**Defendants.**

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COMES NOW the Defendants, E.M. Peterson and D. Harvey, by counsel, Duane J. Ruggier, II, Evan S. Olds, and the law firm of Pullin, Fowler, Flanagan, Brown & Poe PLLC, and moves for summary judgment in this matter pursuant to Rule 56 of the Federal Rules of Civil Procedure. In support of their *Motion*, these Defendants rely upon their *Memorandum of Law in Support of Their Motion for Summary Judgment*.

**WHEREFORE**, Defendants respectfully request that this Honorable Court dismiss the claims against them with prejudice. Defendants request any and all other such further relief, including costs and attorneys' fees, whether legal or equitable in character, as to which they may be entitled and to which this Court deems just and proper.

**E.M. PETERSON and  
D. HARVEY,  
By Counsel,**

/s/ Duane J. Ruggier II  
**DUANE J. RUGGIER II (WVSB #7787)  
EVAN S. OLDS (WVSB #12311)**

**PULLIN, FOWLER, FLANAGAN,  
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**CERTIFICATE OF SERVICE**

The undersigned, counsel of record for Defendants, do hereby certify on this 8<sup>th</sup> day of July, 2021, that a true copy of the foregoing "*Defendant's Motion for Summary Judgment*" was filed with the Clerk via the court's CM-ECF Filing System which will provide electronic notification to the following counsel of record:

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/s/Duane J. Ruggier II

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